

**DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION USING AN APPLICATION DATA SHEET (37 CFR 1.76)**

<b>Title of Invention</b>	<b>ALTERATION OF RAB38 FUNCTION TO MODULATE MAMMALIAN PIGMENTATION</b>
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As the below named inventor(s), I/we declare that:

This declaration is directed to:

- ☐ The attached application, or
- ☒ Application No. 10/501611; Filed July 14, 2004  
Corresponding to PCT/US03/01622; Filed January 17, 2003
- ☐ as amended on \_\_\_\_\_ (if applicable);

I/we believe that I/we am/are the original and first inventor(s) of the subject matter which is claimed and for which a patent is sought;

I/we have reviewed and understand the contents of the above-identified application, including the claims, as amended by any amendment specifically referred to above;

I/we acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me/us to be material to patentability as defined in 37 CFR 1.56, including for continuation-in-part applications, material information which became available between the filing date of the prior application and the national or PCT International filing date of the continuation-in-part application.

All statements made herein of my/our own knowledge are true, all statements made herein on information and belief are believed to be true, and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. 1001, and may jeopardize the validity of the application or any patent issuing thereon.

**FULL NAME OF INVENTOR(S)**

Inventor 1 PAVAN, William J.

Date: 8/1/2008

Signature: [Signature]

Citizen of: United States

Inventor 2 LOFTUS, Stacie K.

Date: 8/1/2008

Signature: [Signature]

Citizen of: United States

☐ Additional inventors are being named on additional form(s) attached hereto.

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Rec'd PGT/PTO 20 OCT 2005

PTO/SB/96 (09-04)

Attorney Docket No. 015280-148100US

**STATEMENT UNDER 37 CFR 3.73(b)**

Applicant/Patent Owner: PAVAN and LOFTUS

Application No./Patent No.: 10/501,611 International Filing Date: January 17, 2003

Entitled: ALTERATION OF RAB38 FUNCTION TO MODULATE MAMMALIAN PIGMENTATION

The Government of the United States of America as Represented by the Secretary of the Department of Health and Human Services, a Government Agency

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.  
The extent (by percentage) of its ownership interest is \_\_\_\_\_ %

in the patent application/patent identified above by virtue of either:

- A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

- B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To : \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

2. From: \_\_\_\_\_ To : \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

3. From: \_\_\_\_\_ To : \_\_\_\_\_

The document was recorded in the United States Patent and Trademark Office at  
Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

☐ Additional documents in the chain of title are listed on a supplemental sheet.

- ☒ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

  
Signature

10/20/05  
Date

Chuan Gao  
Printed or Typed Name

415-273-0200  
Telephone Number

Attorney for Applicant  
Title

Rec'd PCT TO 20 OCT 2005

PTO/SB/80 (12-03)

**POWER OF ATTORNEY TO PROSECUTE APPLICATIONS BEFORE THE USPTO**

I hereby appoint:

☒ Practitioners associated with the Customer Number

**45115**

OR

☐ Practitioner(s) named below (if more than ten patent practitioners are to be named, then a customer number must be used):

Name	Registration Number

as attorney(s) or agent(s) to represent the undersigned before the United States Patent and Trademark Office (USPTO) in connection with any and all patent applications assigned only to the undersigned according to the USPTO assignment records or assignment documents attached to this form in accordance with 37 CFR 3.73(b).

Assignee Name and Address:

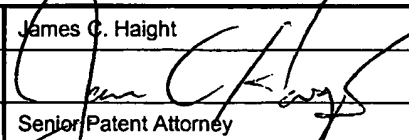
The Government of the United States of America  
as represented by the Secretary of the Department of Health and Human Services

National Institutes of Health  
Office of Technology Transfer  
6011 Executive Blvd., Suite 325  
Rockville, MD 20852-3804

**A copy of this form, together with a statement under 37 CFR 3.73(b) (Form PTO/SB/96 or equivalent) is required to be filed in each application in which this form is used. The statement under 37 CFR 3.73(b) may be completed by one of the practitioners appointed in this form if the appointed practitioner is authorized to act on behalf of the assignee, and must identify the application in which this Power of Attorney is to be filed.**

**SIGNATURE of Assignee of Record**

The individual whose signature and title is supplied below is authorized to act on behalf of the assignee

Name	James C. Haight		
Signature			Date
Title	Senior Patent Attorney	Telephone	301-435-5470

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ASSIGNMENT

JOINT

WHEREAS, We, **William J. Pavan** a citizen of the United States residing at 7724 Warbler Lane, Derwood, MD, 20855; and **Stacie K. Loftus** a citizen of the United States residing at 10829 Monticello Drive, Great Falls, VA 22066, are of employees of the Department of Health and Human Services at the time the invention was made, have invented (title of invention): **ALTERATION OF RAB38 FUNCTION TO MODULATE MAMMALIAN PIGMENTATION**, for which an application to the Commissioner for Patents for grant of Letters Patents of the United States of America has been executed by the undersigned

☐ on (date(s) Declaration signed):

☒ is identified as U.S. Patent Application:  
Serial No. 10/501,611

International Filing Date: 01/17/2003; and

WHEREAS, the conditions under which said invention was made are such as to entitle the Government of the United States of America under Paragraph 1(a) of Executive Order 10096, to the entire right, title, and interest herein, both domestic and foreign; and

WHEREAS, the Government of the United States of America is desirous of acquiring all domestic and foreign right, title, and interest in the aforesaid invention described in the aforesaid application for Letters Patent of the United States of America; and

NOW, THEREFORE, to all whom it may concern, be it known that for and in consideration of the premises and other valuable considerations, we the undersigned, have sold, assigned, and transferred and by these presents do sell, assign, and transfer unto The Government of the United States of America as represented by the Secretary of the Department of Health and Human Services (hereinafter THE GOVERNMENT), and his successors, the full and exclusive right, title, and interest throughout the United States of America, its territories and dependencies, and within each and every foreign country in which THE GOVERNMENT elects to file the invention described in the aforesaid application for Letters Patent of the United States of America, and all Letters Patents and Registrations which may be granted on the same in the United States of America and all countries throughout the world, and to claim the priority from the application as provided by the Paris Convention, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof.

AND, we hereby authorize and request the Commissioner for Patents to issue said Letters Patent to THE GOVERNMENT as assignee of the entire right, title, and interest in and to the same throughout the United States of America, its territories and dependencies, and within each and every foreign country in which THE GOVERNMENT elects to file, for the sole use for the full term or terms for which said Letters Patent and Registrations may be granted thereon, or of any division, renewal, continuation in whole or in part, substitution, conversion, reissue, prolongation or extension thereof which may be granted as fully and entirely as the same would have been held by us, had this assignment not been made;

AND, we hereby warrant that there are no outstanding assignments, grants, liens, encumbrances, or agreements either written, oral, or implied with respect to the aforesaid application for Letters Patent which will impair, diminish, limit, or abridge the interest herein conveyed at the time of the execution of this instrument by us;

AND, we hereby agree to execute any and all applications for Letters Patent in the United States of America and foreign countries, and to furnish and deliver to the Secretary, Department of Health and Human Services, upon request, all data and documents, and to execute any papers which may be necessary for the prosecution of any application or applications of Letters Patent or for THE GOVERNMENT to exercise its rights granted hereunder, including communicating to THE GOVERNMENT, its representatives or agents, any facts relating to said invention, including evidence for interference purposes, or for other proceedings, whenever requested, to testify in any interference or other proceedings, whenever requested, and to execute and deliver on request all lawful papers required to make any of the foregoing provisions effective, and likewise make these provisions binding upon our heirs, legal representatives, administrators and assigns, and we shall assist THE GOVERNMENT in every way as may be requested in protecting said invention, provided that any expense of extending such assistance shall be paid by THE GOVERNMENT.

The undersigned hereby grants THE GOVERNMENT or the law firm of Townsend and Townsend and Crew LLP, the power to insert on this Assignment any further identification which may be necessary or desirable in order to comply with the rules of the United States Patent and Trademark Office for recordation of this document.

IN TESTIMONY WHEREOF Assignors have signed their names on the dates indicated.

William J. Pavan  
William J. Pavan (signature of named inventor)

7/20/2005  
(date)

STATE OF Maryland )

COUNTY OF Montgomery )

UNITED STATES OF AMERICA

On 2nd August 2005, before me, ANDREA M. RANDER (here insert name and title of the officer), personally appeared William J. Pavan, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, execute the instrument.

WITNESS my hand and official seal.

Signature Andrea M. Rander  
Notary Public

(Seal)

ANDREA M. RANDER  
NOTARY PUBLIC STATE OF MARYLAND  
My Commission Expires October 1, 2006

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IN TESTIMONY WHEREOF, Assignors have signed their names on the dates indicated.

Stacie K. Loftus  
Stacie K. Loftus (signature of named inventor)

July 20 2005  
(date)

STATE OF Maryland

COUNTY OF Montgomery

UNITED STATES OF AMERICA

On 2nd August 2005 before me, <sup>AMR</sup>~~Stacie~~ ANDREA M. RANDER (insert name and title of the officer), personally appeared Stacie K. Loftus, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, execute the instrument.

WITNESS my hand and official seal.

Signature Andrea M. Rander  
Notary Public

(Seal)

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ANDREA M. RANDER  
NOTARY PUBLIC STATE OF MARYLAND  
My Commission Expires October 1, 2006

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